

Amendments to SB#161

1. Definition. For the purpose of this article: a. "Fossil fuel" shall mean coal, kerosene, oil, wood, fuel gases and other petroleum products.
b. "Fuel gases" shall include, but not be limited to, methane, natural gas, liquefied gas and manufactured fuel gases.
2. Carbon monoxide detecting devices; where required. a. Every dwelling unit in a building within a county where a fossil-burning furnace or boiler is located, and every dwelling unit in a building that is in close proximity to a source of carbon monoxide, as such proximity is established by the rules promulgated by a commissioner in consultation with the fire department and the department of health, shall be equipped with an operational carbon monoxide detecting device approved in accordance with the rules promulgated by a commissioner in consultation with the fire department and the department of health, provided that there shall be installed at least one approved and operational carbon monoxide detecting device within fifteen feet of each room lawfully used for sleeping purposes. Such carbon monoxide detecting device may be combined with a smoke detecting device that complies with the provisions of this title and any applicable rules promulgated thereunder.
b. The provisions of this article shall apply retroactively to every building irrespective of when such building was constructed or a certificate of occupancy for such building was issued.
c. The provisions of this article may be enforced by the department, the fire department, the department of health and the department of housing preservation and development.
3. General requirements for carbon monoxide detecting devices. All carbon monoxide detecting devices required to be provided and installed pursuant to this article shall be a type authorized by rules promulgated by a commissioner.
4. Duties of owner and occupant with respect to installation and maintenance of carbon monoxide detecting devices in multiple dwellings and private dwellings. a. the term "private dwelling" shall mean a dwelling unit in a one-family or two-family home which is occupied by a person or persons other than the owner of such unit or the owner's family.
b. It shall be the duty of the owner of a multiple dwelling and a private dwelling which is required to be equipped with one or more carbon monoxide detecting devices.
 - (1) provide and install one or more approved and operational carbon monoxide detecting devices in each dwelling unit.
 - (2) post a notice in a form approved by a commissioner in a common area of a multiple dwelling and otherwise provide such notice to the occupants of a private dwelling informing the occupants of such a dwelling that the owner is required by law to install one or more approved and operational carbon monoxide detecting devices in each dwelling unit in the dwelling
 - (3) replace any carbon monoxide detecting device which has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the dwelling unit and which has not been replaced by the prior occupant prior to the commencement of a new occupancy of a dwelling. unit.

(4) replace within thirty calendar days after the receipt of written notice any such device which becomes inoperable within one year of the installation of such device due to a defect in the manufacture of such a device and through no fault of the occupant of the dwelling unit.

(5) provide written information regarding the testing and maintenance of carbon monoxide detecting devices to at least one adult occupant of each dwelling unit including, but not limited to, general information concerning carbon monoxide poisoning and what to do if a carbon monoxide detecting device goes off. Such information may include material that is distributed by the manufacture, material prepared by the department of buildings or material approved by the department of buildings; and

c. It shall be the sole duty of the occupant of each dwelling unit in a multiple dwelling and the occupant of a dwelling unit in a private dwelling in which a carbon monoxide detecting device has been provide and installed by the owner to:

(1) keep and maintain such device in good repair;and

(2) replace any device which is either stolen, removed, missing or rendered inoperable during the occupancy of such dwelling unit.

d. It shall be unlawful for any person to tamper with or render inoperable a carbon monoxide detecting device that is required, except for replacing the batteries or for other maintenance purposes.



Exhibit 10

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